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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/893,391

06/28/2001

Margaret C. Mitchell

40655.4600

5303

7590

06/30/2004

Snell & Wilmer
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Phoenix, AZ 85004-2202

EXAMINER

MEKY, MOUSTAFA M

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/893,391

Applicant(s)

MITCHELL ET AL.

Examiner

Moustafa M Meky

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 17-31 is/are rejected.
- 7) ☒ Claim(s) 10-16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/21/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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1. Claims 1-31 are presenting for examination.
2. Claim 10 recites the limitation "said network security service" in lines 3 & 15, "said personal profile service" in lines 4 & 15-16, "said public data service" in lines 4 & 16, "said private data service", in lines 5 & 16. There are insufficient antecedent basis for these limitations in the claim.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9 & 17-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Yurkovic (US Pat. 6,668,353).

5. As to claim 1, Yurkovic shows in Figs 1 & 3, a system for facilitating the integration and delivery of data available over a network (304, Fig 3), the system of Yurkovic comprising:

- at least one user system 302;
- host computer components (306 & 308) connected to the network, see Fig 3, col 7, lines 8-17;

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- public data store within the server 314 and private data store within the server 312, both connected to the host computer component 308;
 - the host computer component (308) configured to acquire public data from the public data store within the server 314 and private data from the private data store within the server 312 to form integrated (composite) data, format, and deliver the integrated data to the user 302 over the network, see the abstract, lines 1-5, col 2, lines 49-54, col 7, lines 17-24, lines 56-57.
6. As to claim 2, the user system is a personal computer, see col 8, lines 45-59.
7. As to claim 3, the user system is a wireless device, see col 8, lines 45-59.
8. As to claim 4, the user system is a PDA, see col 8, lines 45-59.
9. As to claim 5, the user system is a wireless telephone, see col 8, lines 45-59.
10. As to claim 6, the user system comprises a computer to automatically retrieve and store the integrated data, see col 2, lines 49-54, col 7, lines 41-60.
11. As to claim 7, the user system is configured to display the integrated data using a browser configured to communicate over the network, see col 2, lines 49-54, col 7, lines 41-45.
12. As to claim 8, the user system is configured to display the integrated data using a network interface device configured to communicate over the network, see col 5, lines 29-31, col 7, lines 8-11.
13. As to claim 9, the one or more host computer components include a web server 308 and an application server 306.

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14. As to claims 17-29, the claims are similar in scope to claims 1-9, and they are rejected under the same rationale.

15. As to claims 30-31, the claims are similar in scope to claim 1, and they are rejected under the same rationale.

Therefore, it can be seen from paragraphs 5-15 that Yurkovic anticipates claims 1-9 & 17-31.

16. Claims 10-16 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Moustafa M Meky whose telephone number is 703-305-9697. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M.M.M
June 26, 2004


MOUSTAFA M. MEKY
PRIMARY EXAMINER